

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY  
ORDINANCE COMMITTEE  
MINUTES OF PUBLIC MEETING**

DATE.....April 22, 2003  
TIME.....4:30 P.M.  
PLACE.....COUNTY OFFICE BLDG.  
20 N. 3RD STREET  
LAFAYETTE IN 47901

**MEMBERS PRESENT**

Jan Mills  
Karl Rutherford  
Steve Schreckengast  
Mark Hermodson  
Gary Schroeder

**STAFF PRESENT**

James Hawley  
Sallie Fahey  
Jay Seeger. Atty.

Jan Mills called the meeting to order.

**I. APPROVAL OF MARCH 18, 2003 MEETING MINUTES**

Karl Rutherford moved to approve the minutes from March 18, 2003. Steve Schreckengast seconded and the motion was carried by voice vote.

**II. NEW R1C ZONING DISTRICT**

Sallie Fahey stated that the idea of the R1C district started with Lexington Farms subdivision. She explained that the developer took the staff on a trip to Indianapolis to see some of the new developments that Lexington Farms was based on. She stated that the idea was to provide nicer housing in the affordable range. She said that this was built under the PD process with the understanding that if it were successful, they would look at a new zoning district for these types of developments. She mentioned that the majority of the lots were 40' and 50' wide. She stated that Bristol Park was the next development done by a private developer in concert with Habitat for Humanity. She said that there were a lot of 40' lots as well as TND strategies with alleys and rear loading designs. She said that Benjamin Crossing is the next example, which is still under going the approval process and building the infrastructure. She mentioned that it was a big mix of 40' lots and traditional subdivision lots. She showed the example of Brittany Chase, which was negotiated to have no more that 30% 40' lots at 4,000 square feet with the remainder at 50' and 5,000 square feet. She mentioned that some homes were allowed to have 1-car garages if they had a 25' setback so that an additional car could fit behind it, while the other lots had a 20' setback. She stated that Hawthorne Meadows is in the early review stage. She said that the new proposal was just presented earlier that day. She reviewed the location on the new proposal and the types of lots included.

Sallie Fahey stated that the question at hand was whether to create a new R1C zone, or if they preferred to see these types of development as PDs. She recapped some of the ideas for R1C versus PDs. She proposed the new zoning district have 50' wide, 5,000 square foot lots with only up to 30% allowed to be 40' wide and 4,000 square feet; some percentage would be allowed to have 1 car garages; mixed 20' and 25'setbacks; all 1 car garages would be required to have 25' setbacks; incentives to increase 50' lots. She mentioned that this was a suburban version of the R1U and they could look at that zone for guidance. She mentioned that the advantages of this zone are, the platting process is easier, would allow elected officials to determine whether the density was appropriate, and would stop the generalization of the PD process. She said that the advantages of continuing to use the PD process would be a guarantee that the houses would fit on a 40' wide lot. She mentioned that in Lexington Farms there were restrictions placed on lots that would not accommodate certain types of homes.

Steve Schreckengast asked if the administrators of the building permits paid attention to the type of housing, or just simply if the house would fit on the lot.

Opal Kuhl stated that they do look at the type of house, not just the size.

Sallie Fahey explained that in the case of Lexington Farms, the developers showed them the different types of houses they would be using, and if a style did not fit on a lot, they were excluded in the conditions. She stated that the PD process allowed the staff to require additional storage space for some of the homes and negotiate a recreation area in exchange for higher density. She mentioned that varied setbacks would allow front loaded garage homes to be more attractive. She asked if the Committee wanted the staff to continue working on this proposal. She explained that the staff could have a completed proposal by the May 7, 2003 Ordinance Committee meeting; filed for the June APC meeting and potentially by July first have a new ordinance. She stated that if the Committee felt it was more effective to retain these projects as PDs that would be important information to give to the developers and the new one could proceed as such.

James Hawley stated that it is difficult to justify a cornfield being turned into a PD because there is nothing unique about the project when it looks like a regular subdivision.

Jan Mills asked if the issue of exchanging recreational facilities for density could be written into the subdivision process.

Sallie Fahey stated that was a question legal counsel should research. She said that until now it was legal counsel and staff's opinion that there is not sufficient authorization in the State statute to require dedication of park facilities. She pointed out that the subdivision ordinance says that if a park department is interested in having a facility, then the APC can require the developer to reserve land for five years. If the land is not purchased in that time, it reverts back to the underlying platted lots. She reiterated that if the Committee were interested in that option, they would have to ask legal counsel to research it.

Mark Hermodson requested legal counsel pursue that option.

Steve Schreckengast pointed out that common green space is not all it is cracked up to be. He gave examples of maintenance costs for the general subdivision area as well as for common green space. He estimated that the cost was \$100 per lot to maintain.

Sallie Fahey stated that there were many instances where she agreed with Steve Schreckengast's comment. She said that in his examples, if a governmental body does not take over the area, then there may be mixed incomes or lower end housing that cannot afford an association fee for maintenance. She mentioned that one solution was that for a fixed amount of time the developer would be contributing to the cost.

Mark Hermodson stated that it would be nice to have it in the ordinance where the discretion could be exercised, but not required.

Jan Mills stated that if there is no option of reserving land in some of these neighborhoods then when the governmental parties have the money, there is no where to put them.

Steve Schreckengast pointed out that the parks departments should be consulted to see if they want to maintain a whole bunch of neighborhood parks.

Jan Mills stated that the West Lafayette Parks Department would welcome that.

Several members agreed.

Jan Mills stated that one of the priorities is to reserve green space so that a system of parks can be developed throughout the community.

Steve Schreckengast said that there was green space reserved at University Farms and all fenced in.

Jan Mills stated her concern that all these developments are built and the children who live there have no where to play and the family would have to get into a car and drive to a park because there is nothing within walking or biking distance.

Steve Schreckengast gave the example of a development in Indianapolis where the Plan Commission proposed parking spaces by the recreational facility. He said that the neighborhood did not want parking because it promoted people outside the development using it. He reiterated that there were a lot of issues with green space and it is not an all feel good thing.

Opal Kuhl mentioned that the view of the City of Lafayette's Parks Department is that if it is something that ties in with the master linear park plan, they are in favor of it. She said that if it is nothing more than a couple of lots set aside, they prefer not to have those.

Mark Hermodson reiterated that the option should be in the ordinance, but not a requirement and the discussion is going way beyond what it needs to.

Karl Rutherford asked for clarification that it would not be imposed on everyone.

Mark Hermodson stated that was correct. He said that there needed to be a discretionary power.

Sallie Fahey gave an example of an R1C zone request. She said that if the developer wanted to have the maximum density, it would all be affordable or lower income housing, a homeowners association would be less desirable and there was no near-by recreational facility, then those are things that would influence the Commission's decision as well as whether to impose a green space reserve condition.

Karl Rutherford pointed out that one of the good features of a PD was that those issues were negotiable. He said that it has always been staff's opinion that the PD has something special about it and in this case the negotiation gives it something special. He pointed out that density keeps increasing and there should be something in exchange for that. He mentioned that the position of the staff has always been, what could be done for the community, and in the PD, the community gets what the staff negotiates.

Mark Hermodson asked for confirmation that the upfront costs were higher on PDs.

Karl Rutherford and Sallie Fahey responded yes.

Mark Hermodson pointed out that that is an issue, especially since there is a demand for lower priced housing in the community. He said that he agrees with a lot of Karl Rutherford's points. He stated that if there were a way to make more affordable housing with some kind of discretion that would be the most desirable option.

Karl Rutherford pointed out that the PD is not a lot more expensive than a regular rezone; it is just that the cost is upfront.

Sallie Fahey stated that there would be more of a risk to apply for an R1C zone than for a PD, but the upfront cost is also less. She said that the likelihood of a PD being approved is much greater.

Steve Schreckengast stated that Indianapolis has been doing these types of subdivisions for a long time. He said that he was not concerned with the dimensions that were being proposed, but that he did have concerns about the Benjamin Crossing dimensions.

Sallie Fahey explained that Steve's idea would be to have an R1C zone, with a minimum of 50' lot widths with areas of 5,000 square feet and if someone wanted 40' lots, they would have to submit it as a PD and create uniqueness for it to qualify.

Steve Schreckengast suggested that at the very least staff should have more control.

Ron Highland stated that from an enforcement point of view, having different setbacks only confuses the issue. He said that when the standard is lowered and different requirements are added to the mix, it causes problems in enforcement and extra cases for the ABZA. He said that it also causes confusion when additional developers try to build and if they are not given the proper information for a specific lot it increases the possibility of error.

Steve Schreckengast pointed out that most of the problems of setbacks are caused by the lack of having a surveyor. He said that most of the subdivisions in question would be one-builder.

Ron Highland stated that when issuing permits, he does not make everyone file a new survey, but he does require the original survey to be presented.

Sallie Fahey stated that one of the biggest problems in subdivisions occurs when builders measure from the back of the curb instead of from the edge of the right-of-way.

Steve Schreckengast stated that there was no excuse for that and in those circumstances there was probably no surveyor involved.

James Hawley mentioned that the idea to amend the ordinance to require surveys was dropped because it was felt that the problems were minimal.

Steve Schreckengast asked for confirmation that the staff had the authority to require a registered surveyor if there was any doubt.

Opal Kuhl replied that they have never requested one.

Sallie Fahey stated that she thought there was that ability.

Mark Hermodson stated that he was more concerned with when it was initially staked.

Gary Schroeder stated that this was a difficult issue, but that Steve Schreckengast's suggestion of a compromise would be a good first step. He posed the question that if common green space was left up to someone's discretion, would it be given to the staff.

Sallie Fahey stated that it would begin with the staff and end with the Commission during the rezone approval.

James Hawley stated that it would have to be a standard established in the subdivision ordinance outlining the proportion of space to lots. He said that there is the ability to make it sliding and totally discretionary.

Karl Rutherford posed the question that if the berming around the outside is common space, would that be added into the square footage.

Sallie Fahey stated that the only function of berming around the outside is for added privacy, without the need for stockade fences.

Steve Schreckengast stated that in most cases that property is landscape easement and owned by that lot owner and maintained by the association.

Karl Rutherford asked if the proposal was to include the berming as a park or not.

Sallie Fahey responded negatively.

Steve Schreckengast stated that in most cases that area is not considered a park and no one is allowed to go on it except the person maintaining it.

Sallie Fahey stated that occasionally there are cases where it is wide enough to include a walking trail. She said if that was the case, it would be considered parkland or in lieu of parkland.

James Hawley stated that there would need to be a mandatory section of the subdivision that covers the ownership, taxes and maintenance of that area. He gave an example of areas going up for public sale due to the confusion as to who was responsible for the taxes.

Mark Hermodson stated that they are debating an issue that they do not even know if they have a right to debate. He said that he would like to hear legal counsel's opinion before continuing.

Jan Mills asked if the consensus was for staff to prepare a proposal for R1C zoning standards.

Sallie Fahey asked if they should include the option of 40', 4,000 square foot lots or not.

Steve Schreckengast replied affirmatively. He said that they should take it one day at a time. He asked if the development community was in favor of the proposed new zoning.

Sallie Fahey mentioned a few of the developers that were in favor of this as well as some possible developments that this may apply to.

Steve Schreckengast mentioned including adjustments for cul-de-sac lots.

Sallie Fahey stated that there could be bigger setbacks or a similar requirement to RE cul-de-sac lots.

Karl Rutherford asked if the staff prepared a proposal, would it come back before the Ordinance Committee again.

Sallie Fahey stated that it would come before them on May 7, 2003.

Karl Rutherford asked if the staff could ensure that the development community was invited.

Sallie Fahey stated that the urgency was with the one developer either waiting for the new zoning or proceeding under PD. She mentioned that if the new zoning would be only 50' wide lots, the developer would probably choose to proceed. She said that if the developer was to go under the PD that would eliminate the rush on completing the R1C zone.

James Hawley mentioned some other options that maybe allowed in the ordinance such larger lots, in an urban setting, if the developer so desired. He suggested offering a choice of different zones.

Karl Rutherford stated that if they were discussing a choice of zones, they should also review the possibility of a lower density R3 zone.

James Hawley suggested something in-between the R2 and R3 zoning.

Sallie Fahey agreed.

Karl Rutherford stated that would stop every R3 that was approved from being built to maximum.

### **III. DISCUSSION ON LENGTH OF CUL-DE-SAC ON PUBLIC RE ROADS**

Sallie Fahey mentioned that during the creation of the RE ordinance, the fact that most of them would have very long roads was overlooked. She said that the question was, should the RE roads be disassociated from the cul-de-sac and/or block length. She said that the other alternative was because they were public roads, should they be heard as a variance, so that whomever is going to maintain it has an opportunity to weigh in.

Steve Schreckengast asked if the reasoning behind the 800' was safety.

Sallie Fahey replied affirmatively.

James Hawley said not only the possible increase in accidents, but the length of the fire hose.

Steve Schreckengast asked for clarification that a private RE road did not have a maximum length requirement.

Sallie Fahey replied that was correct because the standards in the subdivision ordinance only apply to public roads.

Steve Schreckengast stated that he did not think there should be a limitation on a public road. He said that they were 50' right-of-ways with pavement, so there is room to go around an accident.

Sallie Fahey pointed out that a decision has not been made as to how to access an RE at the end of a parcelization, but it would probably not be public.

James Hawley pointed out that the intent was not to tie it to the table of public roads, but that is what happened. He suggested an ordinance amendment to remove that requirement from the public road table.

Sallie Fahey stated that the amendment would ensure that standard was not applicable to RE public roads.

Mark Hermodson stated that the rationale was primarily for fire safety.

Karl Rutherford stated that another factor was traffic because an 800' road could easily service approximately 25 families.

Steve Schreckengast pointed out that the airport was at the end of a long dead end road, and there was not any concern there.

Sallie Fahey stated that there was not any concern on the part of the staff; the question was if the County Commissioners or the Highway Department had concerns.

Karl Rutherford asked if the Commissioners want to be involved in that variance.

Sallie Fahey stated that they have not heard from the Commissioners either way. She said that the staff could contact them and if they have no objection the amendment could go forward.

### **IV. DISCUSSION ON THE NEED FOR A DEFINITION OF "FARM STAND" OR "ROADSIDE STAND"**

James Hawley informed the Committee that the enforcement officers pointed out the need to further define "farm stand" of "road stand".

Al Levy stated that on February 3, 2003 the amendment to allow roadside stands was approved and almost immediately there were questions on what exactly a roadside stand was. He presented print-outs from the Internet on different roadside stand definitions from different jurisdictions. He pointed out that of all the examples that he found, most of them had the same definitions. He presented two sets of pictures from the Internet as well as from around the County showing examples of roadside stands. He pointed out that everyone has a different view of what a roadside stand should be; therefore it needed to be regulated. He reviewed the pictures presented and noted the problem stands. He said that the variations in what is allowed to be a roadside stand, leads to discussion on rural home occupations and signs. He stated that currently there is not a permit requirement for a rural home occupation but there is a restriction against having a changeable copy sign in an agricultural district. He asked the Committee for guidance on what is allowed in a roadside stand and what kind of signs, if any, would be allowed.

Steve Schreckengast stated that he would rather the Committee channel their energy on other issues.

Al Levy stated that he sees this as a violation and his job is to enforce the entire ordinance.

Jan Mills pointed out one picture that she did not consider a roadside stand, but a home business.

Steve Schreckengast asked what they were selling in that picture.

Al Levy stated that that was a picture of Mr. Rumpsa's market on 25 North.

Steve Schreckengast stated that he thought that issue was resolved.

Al Levy stated that the issue that was resolved allowed Mr. Rumpsa and Mr. O'Neil to sell products not grown on the property.

Steve Schreckengast asked what the zoning for this property was.

Al Levy stated that it was zoned agricultural.

Steve Schreckengast asked for clarification that the metal building in the picture was being used to sell out of and how long he has been doing that.

Al Levy confirmed the building being used, and stated that until recently Mr. Rumpsa had a roadside stand on South River Road that was complying.

Steve Schreckengast asked if they were going to continue running the business in this fashion.

Al Levy presumed that the daughter would be opening the business this summer, and he wanted to have the issue resolved before that time.

Steve Schreckengast asked for specifics on why this was not considered a roadside stand.

Al Levy stated that this was a grocery store, not a roadside stand.

Karl Rutherford stated that he was patron of this stand, and did not consider it a grocery store. He pointed out that they did not sell milk or bread and everything that they do sell can also be found at a grocery store.

Al Levy agreed. He said that the concern was using a large pole barn in the back as a roadside stand. He pointed out that in this circumstance, it is not even by the road, but a distance behind the house, and it is a closed-in building.

James Hawley posed the question of using the open doors of a barn as a roadside stand, so that the product was protected from the elements.

Al Levy pointed out in the pictures presented, two examples of a shade built over the roadside stand to protect it from the weather.

James Hawley asked if the intent of the ordinance was to have something specifically in the front of the house or does it mean the property in general.

Karl Rutherford stated that he did not think it mattered because they spoke about bringing in produce not grown on the property.

Al Levy stated that the previous discussions involved produce not grown on the property in the case of Mr. Rumpsa and Mr. O'Neil, but the question of what a stand should look like was not answered.

Karl Rutherford asked if Al Levy was referring to this as a vegetable market rather than a roadside stand.

Al Levy responded affirmatively.

Karl Rutherford stated his view that this was a simple farmer trying to make a living.

Mark Hermodson stated that he did not have a concern, so long as they are selling farm produce. He said that if items such as knick-knacks were being sold, even if they were produced on the property, he would be concerned with that. He said that the intent was for a farmer to sell farm produce. He suggested that they watch this situation to see if it becomes a problem.

Al Levy asked for confirmation that the Committee was pronouncing the building acceptable and no permit was required for the sign because it was a rural home occupation. He asked what their view was on the changeable copy portion of the sign, because that is not legal in an agricultural zone.

Steve Schreckengast asked for an example of what he meant by changeable. He asked if the sign was on a portable stand.

Al Levy stated that it was on a portable unit until he made him change it, and they put it on posts. He said that the changeable copy sign was on a portable unit until, under the advise of his attorney, he took it down and then brought it back.

Steve Schreckengast asked what was written on the portable copy sign.

Al Levy replied whatever was current that week. He asked the Committee how to legitimize it.

Steve Schreckengast pointed out that a tobacco sign on the side of a barn could not be put up today, but yet cannot be taken down because it is a historic landmark.

Karl Rutherford pointed out all the K-mart signs that were posted in the right-of-way and obviously illegal and unsightly.

Al Levy said that Karl Rutherford should have called him. He said he removed a bunch of them that were illegal.



Steve Schreckengast stated that he agreed with Mark Hermodson. He said that they should allow the maximum flexibility and watch the situation to see if someone truly abuses it.

Mark Hermodson stated that the on-site sign is not as much of a concern as any off-site sign.

Al Levy stated that if the business is legal then the blue and white sign is legal. He said that it does not legitimize the other changeable copy sign.

Jan Mills asked if there was a consensus that they regarded this as a roadside stand.

Several members responded affirmatively.

#### **V. DISCUSSION ON HAVING A SCENIC BYWAY DESIGNATION ASSIGNED TO SOUTH RIVER ROAD (WITH A SPECIAL 50' BUILDING SETBACK)**

James Hawley stated that when the rural outdoor sign section was put together, they tied certain locations with special setbacks to it so that these types of signs would be prohibited at places like North River Road. He said that in the State application for the scenic byway designation it stated that rural outdoor signs would be prohibited. Currently South River Road is not protected by a special setback. He stated that most of it is a standard setback of 40' or 25'. He suggested adding a 50' building setback along South River Road and Division Road out to Ross Hills, in the special building setback section. He explained that would protect that section of road from rural outdoor signs.

Karl Rutherford asked if that was needed to comply with something.

James Hawley stated that it was needed to comply with the scenic byway requirement of not allowing rural outdoor signs along scenic byways. He said that most of it was in place and during a discussion in a Vision 20/20 meeting it came up that it was needed for the other section of the road.

Karl Rutherford asked that once the paperwork is done, is it automatically a scenic byway, or can it be turned down.

James Hawley stated that it could still be turned down. He said that it has not been before the State's committee yet.

Karl Rutherford mentioned the accesses to the west of town. He said that before starting to limit the entrances, there should be ample accesses from the other direction.

James Hawley stated that this would apply only to the setbacks from the rights-of-ways and the rural outdoor signs. He said that most of the existing homes are complying and this would not hurt them.

Mark Hermodson asked for confirmation that designation of a scenic byway would not restrict the County from upgrading the road in the future.

James Hawley stated that there were already plans to extend the bikeway and pedestrian walkway along River Road.

Mark Hermodson stated that it would not change Karl Rutherford's concerns on accesses.

Karl Rutherford mentioned that it was never going to be on a two-lane road.

James Hawley stated that it never would because there is not a public need to put that many cars on that road. He mentioned that traffic has already decreased since the new 231 bridge opened.

Ron Highland asked what type of signs, in the 50' setbacks, they were referring to. He mentioned that Ross Camp was growing into a highly used RV area and the road will continue to increase in traffic. He said that Ross Camp was continuing to grow and expand all the time.

Karl Rutherford asked if he was referring to direction signs.

Ron Highland stated that they already had some signs out that say Ross Camp.

James Hawley stated that that was a County sign and they are talking about private directional signage. He said that signs that are established for a public entity, in the public right-of-way authorized by the Board of Commissioners are permissible. He stated that they were referring to the off-premise advertising signs only.

Steve Schreckengast asked what the advantage was.

James Hawley stated that it has a tremendous amount of community support right now, not just for the section of 43 North but potentially cross-county.

Several members talking over each other.

Karl Rutherford mentioned that trees would not be sacrificed.

James Hawley stated that a lot of the trees right along the road have already been destroyed. He pointed out that the byway is a tourist attraction, more than anything else.

Jan Mills asked if there was a consensus for James Hawley to proceed with writing an amendment.

Several members responded affirmatively.

## **VI. MISCELLANEOUS CHANGES DISCUSSED IN THE ADMINISTRATIVE OFFICERS MEETING**

### **A. Reducing required parking in the Village area of West Lafayette**

Kathy Lind informed the Committee that the West Lafayette attorney suggested this issue and the final details have not been worked out yet.

Mark Hermodson asked what specific area was being referred to.

Kathy Lind explained they were referring to the village area between Grant, Salisbury, Wood and North. She informed the Committee that the attorney suggested 60% of the current parking requirement for just retail businesses.

Karl Rutherford asked if that would allow the Boiler Room to obtain their variance.

Kathy Lind stated not necessarily.

Steve Schreckengast mentioned that the CB zoning in Lafayette does not require any parking. He asked what was wrong.

James Hawley replied Purdue residential growth and new development.

Steve Schreckengast stated that new residential development was slim.

Several members responded that there was a lot of residential uses going up.

James Hawley stated that the motivation under the prior ordinance was a 60% reduction for parking in the old CBP, which has become CBW. He said that in their research to justify this they asked the West Side to produce some figures.

Steve Schreckengast asked if Jan Mills was aware of this request.

Jan Mills replied that she was aware and in favor of the request.

Steve Schreckengast asked if her reason was because it would reduce the number of variances.

Jan Mills stated that in the past 10 years parking needs have dropped in the community, due at least partly by the great service that City Bus is providing. She said that there are a lot of areas in the nation's urban zones that are going to minimum parking requirements, which makes sense in a heavy pedestrian area.

Steve Schreckengast said that he did not think it should be encouraged, and the best way to discourage it, is not to have any place for them to park.

Jan Mills stated that because the ordinance requires so much parking, the ordinance itself causes variances for the ABZA.

Steve Schreckengast asked what the down side was of making this a CB zone like Lafayette.

Kathy Lind stated that the difference is that downtown Lafayette has city garages and street parking.

Mark Hermodson mentioned that there was virtually no street parking in the West Lafayette village.

Steve Schreckengast asked about the availability of the garages in West Lafayette.

Jan Mills stated that it is not technically available for use. She said that everyone says that it can be used during the day but will not say it publicly. She said that they do not have the same parking situation as downtown Lafayette because the street space is not available.

James Hawley said that they do not have empty lots along the perimeter, of the business area either.

Mark Hermodson stated that after 5 p.m. they do, but not during the day. He said that the village parking lot is completely full from 11:30 am and 1:30 pm.

Jan Mills stated that usually parking could be found.

James Hawley stated that there are a lot of "what ifs" involved and he would like to see some proof that parking should be lessened.

Jan Mills stated that she is not in favor of doing it without data to back it up either. She asked if the consensus was to have some data to back up this issue before they proceed.

James Hawley stated that due to time constraints, maybe the West Lafayette Redevelopment Department could have some interns work on the data.

Jan Mills stated that was a definite possibility and has already been discussed.

**B. Subdivision entrance signs.**

Kathy Lind stated that this issue came from calls received from developers wanting to know what size signs can be put up.

Steve Schreckengast asked if she was referring to the permanent signs.

Kathy Lind replied affirmatively. She explained that she was referring to the permanent signs at the subdivision entrances that usually state the name of the subdivision. She suggested adding to section 4-8-6 the sentence "This table is also used to figure the size of gateway signs for developments such as subdivisions or industrial parks."

Steve Schreckengast asked what the requirements in that table were.

Kathy Lind stated that the size of the sign allowed depended on the setback and on the zone.

Steve Schreckengast stated that the trend in subdivisions is to have a nice entrance to give a sense of arrival. He said that if these signs were restricted, it would only hurt things.

Karl Rutherford asked if Raineybrook would meet the requirements being suggested.

Kathy Lind stated that she would need to know the speed limit in front of the subdivision in order to determine the requirements. She said that in a 45 mile an hour zone, 15 square feet would be permitted. She explained that would surround just the message of the sign, not the brick.

Mark Hermodson stressed that it was just the message area of the sign not the monument.

Steve Schreckengast stated that that was not adequate. He said that this needs a lot more discussion from the professionals that are building the subdivisions. He mentioned that a lot of times the subdivision sign is the first thing to be built because it gives the feeling that you have arrived at some place substantial.

Jan Mills pointed out that does not guarantee that the development that is built warrants such a nice sign. She explained that there are places where the sign is beautiful and what is behind the sign is less than desirable.

Kathy Lind mentioned that she could not remember any variances on this issue, which indicated that the developers are happy with the current standard.

Mark Hermodson stated that he could not remember any variances for this issue.

Steve Schreckengast stated that some of them have more that 15 square feet of lettering.

Mark Hermodson replied that he was not so sure that was true.

Steve Schreckengast stated that he thought Raineybrook was bigger than that.

Kathy Lind reiterated that the square feet referred to the message portion of the sign only.

Steve Schreckengast stated that 15 square feet would only be a sign of 3'x5'.

Mark Hermodson mentioned that Steve Schreckengast was looking at it as 3'x5', but he should consider the size of the lettering if it was 15'x1'. He said that many of them do not have lettering higher than 1'.

Steve Schreckengast asked why and if the staff was encountering problems with this.

Kathy Lind stated that the only problem is when the calls come in asking what size sign they can put up and remembering which sign standard to use.

Steve Schreckengast asked for confirmation that she was referring to what size the wall could be.

Several people responded no.

Steve Schreckengast stated that he would be interested in what other developers have to say on this issue.

Jan Mills reiterated that there are never any variances on this issue, so the developers must be satisfied.

Steve Schreckengast said that the reason for that is that a permit is not required to put a sign up.

Ron Highland stated that permits are required.

Steve Schreckengast said that the permits were issued for the location of the sign, but not for the size of the lettering.

Ron Highland that he takes the permit over to the Area Plan office and makes sure that it meets the requirement.

Mark Hermodson stated that Kathy Lind is simply asking that the footnote be added. He said that if variances start coming in on this issue, then it should be addressed. He reiterated that he has never seen a variance.

James Hawley stated that the purpose of the footnote, is to make sure that the staff looks at the requirements before they answer the question.

Steve Schreckengast mentioned that this is for the permanent sign and a permit is not needed for the temporary sign. He stated that he would be interested to hear what Derrin Sorenson's opinion on this issue was since he has done more developments than any other contractor. He asked about the event of two entrances and if there would be 15 square feet on each one.

Kathy Lind stated that she would have to read through the ordinance to give the correct answer.

Karl Rutherford stated that he thought this topic was discussed a few years ago.

Jan Mills asked if the issue should be tabled, or if the footnote should be passed and addressed only if there is a problem later.

Mark Hermodson stated that the footnote should be passed and if there is a problem, the size can be addressed at another time.

Steve Schreckengast asked what the standard on a PD was.

James Hawley stated that that was negotiated at one of the meetings.

Jan Mills asked what the consensus was.

Gary Schroeder stated that he liked the footnote idea.

Jan Mills asked Kathy Lind to go ahead with the footnote amendment.

**C. Drive-through message boards**

Karl Rutherford asked if this was referring to fast food establishments that have pictures of food on them.

Kathy Lind stated yes, as well as car washes that now have menu boards. She said that in the definition section of the ordinance, under incidental signs it says, "drive thru restaurant menu boards". She stated that they wanted to delete the word "restaurant" so that it can also apply to car washes.

Jan Mills asked for discussion and no one had comments. She instructed Kathy Lind to go ahead with the amendment.

**VII. CITIZEN COMMENTS**

**VIII. ADJOURNMENT**

Mark Hermodson moved to adjourn.

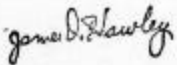
Jan Mills adjourned the meeting at 6:00 p.m.

Respectfully submitted,



Michelle D'Andrea  
Recording Secretary

Reviewed by,



James D. Hawley, AICP  
Executive Director